

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

GLORIA TRICE,)	No. ED101509
)	
Appellant,)	Appeal from the Labor and
)	Industrial Relations Commission
vs.)	
)	
STATE OF MISSOURI, DIVISION)	
OF EMPLOYMENT SECURITY, and)	
BEYOND HOUSING, INC.,)	
)	
Respondents.)	FILED: December 9, 2014

Gloria Trice (“Claimant”) appeals from the ruling of the Labor and Industrial Relations Commission (“Commission”) dismissing her appeal as untimely. Claimant alleges that the Commission erred in applying an erroneous definition of “good cause” when determining whether good cause existed to extend the thirty-day period for filing an appeal. Claimant also contends that the Commission erred in concluding that good cause did not exist for extending the filing period because she presented undisputed evidence that she acted in good faith and reasonably under the circumstances.

REVERSED AND REMANDED

Division III holds: Because the Commission acted beyond its powers in applying an invalid definition of “good cause,” we set aside the judgment and remand to the Commission for a determination of whether Claimant demonstrated good cause to file an untimely appeal under the proper definition of “good cause” as found in 8 C.S.R. 10-5.010(2)(C).

Opinion by: Kurt S. Odenwald, P.J., Robert G. Dowd, Jr., J. and Gary M. Gaertner, Jr., J. Concur.

Attorney for Appellant: John Lynn

Attorney for Respondent – Division of Employment Security: Larry Ruhmann

Attorney for Respondent – Beyond Housing: Respondent Acting Pro Se

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>
